Scottish Nationalism and the Civil Society Concept: Should Auld Acquaintance Be Forgot?"

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I. Introduction:

There is currently a revival of the term "civil society," both in popular political discourses around the world, and in more rarefied academic discussions (e.g., Cohen and Arato 1994; Bobbio 1989:22-43; Hall 1995; Kumar 1993; Pierson 1984).[1] This concept is multivalent and highly ambiguous in its political implications. I argue that its revival is due to a widespread disenchantment with the idea of the state as a potentially positive social force, a condition brought on by the manifest and manifold failures of the modern state in recent years. However, politics in the modern world must confront and aim at shaping the modern state, and I further suggest that current reworkings of the civil society concept serve as much to compensate for a lack of vision regarding the state, as to offer a coherent way forward.

This paper explores this assertion by drawing a brief comparison between how the idea of civil society is being articulated today, and how it was articulated by thinkers of the Scottish Enlightenment, focusing on Adam Smith. I illustrate the current trend through ethnographic data on the Scottish nationalist movement, though my intention is to use this material as an example of a worldwide phenomenon, rather than to suggest an unbroken genealogy of the concept in Scotland from the Enlightenment to the present.

II. Background:

My recent research is on Scottish nationalism, or more exactly, the social movement for greater political autonomy in Scotland, whether in the form of a Scottish parliament within the UK, or national independence. There is broad support in Scotland for constitutional change along these lines, support which generally coincides with Scotland's left-of-center, social democratic, Labour Party dominated political culture. Correspondingly, this movement reflects a deep estrangement from the rightward, pro-free market, and anti-government intervention trend in UK politics associated with Tory government, and especially Margaret Thatcher, since 1979.

This movement is of course complex and often contradictory, but it has a long association with Scotland's left political culture, with roots in the calls for "home rule" for both Scotland and Ireland that were basic to Labour movement campaigning at the beginning of this century. However, the Labour Party's growing access to power at Westminster, the development of the Keynesian welfare state, and the re-articulation of a British nationalism resulting from the experiences of World War II, all served to marginalize the call for home rule up to the early 1970s. Since then the movement has been revitalized, first by the vision of underwriting an independent Scotland with revenues from newly discovered North Sea oil, and more recently by the intense animosity toward Tory government. The general eclipsing of "Britain" by the growing importance of the European Union and economy has also worked in nationalism's favor.[2]

III. Civil Society in the Scottish Autonomist Movement:

The term "civil society" is turning up everywhere around the globe these days--from Solidarity activists in Poland, to anti-Mafia activists in Sicily, and Zapatista's and their supporters in Chiapas--to name just a few instances. It is commonly connected to a conception of "civic" politics that is seen as standing outside and opposing state power, or at least, the status quo politics of established political parties.

This tendency is also found in the Scottish autonomist movement (i.e., nationalism). The two major players in this movement are the Scottish National Party (SNP), which advocates full national independence, and is often capable of capturing around 25% of the Scottish vote, and the Labour Party which supports the establishment of a parliament, and normally commands just under 50% of the Scottish vote.[3] Both routinely demonize the Tory Party, but they are also fiercely hostile to each other. This is not surprising in that they compete for the same votes, offering similar social democratic policies and differing primarily on the constitutional question. Many pro-parliament activists in Scotland take a dim view of these two parties and their inability to cooperate on the home rule issue.

This has led in the 1980s and 90s to the formation of a series of non-party political organizations designed to create cross-party cooperation and popular consensus on this issue, organizations such as: The Campaign for a Scottish Parliament, The Scottish Constitutional Convention, and The Coalition for Scottish Democracy. At various critical junctures, usually around the time of major elections, other smaller, non-party political organizations have been formed. All of these are generally styled by activists as representing the civil society dimension of the movement. Members in these organizations frequently speak of a need to revitalize and reclaim politics from the state and the parties, to enable a more authentic, grassroots democracy.[4]

A founding member of Common Cause, one of the smaller groups established in 1992, described for me the discussions which led to the group's formation:

> ...our whole ethos, if you like, was civic-democratic, rather than ideological in the traditional party sense, ...and we were trying to develop civic-democratic constitutional arguments, rather than conventional nationalist or socialist arguments...

A little bit later, talking about what would be needed if Labour won and delivered a parliament, he argued:

> If they set up such a parliament, this civic forum [i.e., Common Cause] would act as a kind of watchdog, to insure that it would be a radically different kind of body than Westminster--it would be much more open, participatory, responsive to citizens, it would be gender balanced, and so on. What interested...[us]...was the whole issue of how you wed direct democracy to representative democracy, and how you enshrine human rights,

> and entrench them, and move towards a written constitution with entrenched human rights...

Considering the alternative of a Tory victory in 1992 (which turned out to be the case), he said:

> Our argument was, if after a fourth general election victory for the Tories, Westminster had failed to resolve the constitutional question, and failed to respect the majority in Scotland consistently voting over four elections for democratic change, then we had to develop an autonomous Scottish political culture. We had to find a way of saying we will not try and resolve this constitutional issue through Westminster, in the immediate aftermath of a Tory victory, we would have to focus the debate on Scotland.

While it is quite pronounced in this informant's case, because he has been highly active in Scotland's constitutional debates, I can say that I encountered this kind of language time and again while doing fieldwork. Informant's are also quick to point to Scotland's long-standing civil society infrastructure as providing an important basis for present political culture. When the Scottish and English Parliaments were united in 1707, the autonomy of the Scottish Kirk (the National Presbyterian Church), and the educational and legal systems, was preserved by treaty. These have indeed been dominant social institutions, providing a framework for Scottish politics, although technically outside the state proper. Moreover, many leading figures in Scotland's autonomist politics have been and are closely tied to these institutions.

What is especially striking in Scottish autonomist discourse, is a strong positive valuation of civil society as a social sphere that is somehow more authentic, and untainted by the vulgarities of the state and party politics. My impression from reading and talking to colleagues is that a similar tone can be found in many of the popular political movements employing this term today. From here I would like to turn to the history of the theoretical concept itself, and offer some observations in regard to its strange career, in Scotland in particular.

IV. A Brief Overview of Civil Society:

As commonly used today, civil society is usually defined in terms of an interlocking network of institutions, organizations, and social movements that represent social classes and interest groups. This organizational nexus is often viewed as inhabiting a kind of generalized

social space which is the primary locus of both social conflict and the formation of public opinion. This conception is useful for analyzing how political movements are formed and pressure the state (cf. Bobbio 1989:25-26).

We should note, however, that civil society has a history, both as an idea, and as a material referent in the "real" world. The 17th century writers such as Hobbes and Locke translated the term fairly directly from classical sources to refer to public political life, including the state. The 18th century Scots, in contrast, used the term to designate a sphere of public life and interaction outside the state, but beyond the kin group. It was that sphere in which people were free to associate politically, and exchange economically, as individuals. They also saw it as something which was developing historically and having ever greater effects in structuring social life (Seligman 1992:15-58). Hegel picked up on this conception, seeing civil society as a contradictory realm of self realization and irresolvable social conflict, and arguing that the state was the only means for resolving these contradictions (Avineri 1972; Hegel 1967). Marx famously critiqued Hegel, arguing that civil society was the primary locus of bourgeois rule, and the state the instrument of the ruling class. Thus he saw civil society (which in his later writings seems to be replaced by "capitalism") as something to be overcome, rather than mediated (Marx in O'Malley 1994:1-27, 57-70). Gramsci's rehabilitation of the concept came out of his understanding that the actual political process of advancing the cause of socialism, especially in the constitutional democracies of the West, required conceptualizing a social and political terrain of conflict and engagement over the command of ideas. For better or worse, it was through social institutions and organizations that existed below the state and above the kin group that any socialist hegemony would have to be fostered (Gramsci 1971:5-23, 206-276).

These shifting conceptions of civil society do trace changes in the actual historical referent. The current definition I began with owes more to the idea of civil society as a realm of political association below the state, than to the idea of it as a sphere of free economic exchange. It is a product of these historical and conceptual developments. Put crudely, the 18th century was still in many ways transitional between feudalism and capitalism (via mercantilism), the

19th century saw great expansion of capitalism, and the 20th century has seen the massive growth of the modern bureaucratic state, which serves to "regulate" capitalism according to regnant political interests. Thus along with the material growth in capitalism and the state (colonialism, imperialism, etc.), use of the civil society concept has tended to shift in emphasis away from "free exchange outside of state control," and toward "free association outside of state control." The reformulations of the concept that run from the Enlightenment Scots to Gramsci reflect these material developments over time. Nonetheless, both senses--free exchange and free association--inhere in the concept, resulting in its continuing political ambiguity in the present.

V. Civil Society and the Scottish Enlightenment:

The concept of civil society articulated in the Scottish Enlightenment of the 18th century was a product of an historical shift, broadly defined by shifts from feudalism to capitalism, from Catholicism to Protestantism (and the associated rise of individualism), and from royal absolutism to constitutionalism. That century, especially in Scotland, was one of transition between these two political-economic orders. The 17th century in Scotland had been shaped by fierce power struggles between weakening absolutist kingship and a zealous theocratic Calvinist Church. In 1707, politically and economically exhausted, Scotland's Parliament was incorporated into the UK Parliament in London. With this shift power struggles "at-the-top" became strangely remote, as much of Scottish political affairs were "managed" by a ruling class elite that negotiated with London (Paterson 1994).[5]

This atmosphere of new found "open-ness" for the middle and upper classes in their political and intellectual life was part of the basic context of the Enlightenment. Much of the thinking about political matters, especially by David Hume, Adam Ferguson, and Adam Smith, sought to make sense of this new state of affairs. We tend to look back and see their writings as justifications of the new political-economic order of capitalism. Their ideas have undoubtedly served this purpose, and Hume and Smith were clearly optimistic about the direction the

economy was taking. But at the time their writings were inspired as much by a need to compensate for the loss of the older ideological order, as by a need to justify the coming one.

This period was characterized by a deep concern over where moral order, virtue, and the motivation toward "right" behavior would come from. It was no longer possible to see people's social roles as sufficiently defined by their places in a feudal political and religious system (MacIntyre 1966:166-67). At first, developing notions of "natural law" put forth in various forms by Hobbes, Locke, and Mandeville, sought to re-establish a basis for social order. Civil society became part of the Scottish answer to this problem, an answer that sought a more naturalistic, empirical, and historically grounded solution.[6]

I will limit my remarks to the work of Adam Smith, after first noting that his ideas were substantially influenced by those of his mentor David Hume. A full understanding of Smith's ideas requires integrating his two major works, The Wealth of Nations (1976), and the lesser known Theory of Moral Sentiments (1984). Smith's economic theory was grounded in his moral theory. He argued that human behavior is naturally regulated by our powerful desires for approval from others, and to correspondingly avoid disapproval. Our capacity for "sympathy," to infer how others are feeling towards us, teaches us to judge our actions, and those of others, from the perspective of an imagined "impartial observer." Smith believed that as long as social institutions cultivated this capacity (what he would have called a "virtue"), people could naturally regulate their own behavior, keeping the partialities of self interest in check.

The famous "invisible hand" of The Wealth of Nations should be seen in this light, as grounded as much in a particular conception of self-discipline, as in some natural self-regulating tendency of the market (Muller 1993:107).[7] It is anachronistic to view Smith's work as a strait-forward validation of 19th and 20th century capitalism. He believed that civil society--the realm of interaction of individuals, groups, and institutions, including the marketplace--would serve to build this kind of self-restraint. Although we can see the flaws and undue optimism in his economic analysis, we should not miss the fact that through the idea of civil society he was arguing for the possibility of a more diffuse creation of moral and political order, below the state.

18th century Scotland had seen the decay and collapse of traditional systems of regulation "from above," and civil society compensated for this loss "from below."[8]

VI. Civil Society Then and Now:

The idea of civil society formulated by the 18th century Scots was a response to material changes in political economic conditions, and the corresponding unmooring of the moral order (cf. Wuthnow 1987). We are experiencing a new variation on this old theme. In Smith's time the *ancien regime* was weakening, shored up by mercantilist policies, which he saw as irrational and oppressive. Today it is the Keynesian welfare state which has fallen on hard times (cf. Offe 1984; Pierson 1991). Critiqued from the right for being an unjustified drain on the production of private wealth, and from the left for being a mechanism for the social control of the poor and the co-optation of the labor movement, this dominant institutional form of this century is in crisis. For Smith and his peers the Catholic countries of Europe, especially France, were key symbols of the old order and state oppression. In this century the communist countries have served as the exemplars of totalitarianism for the right and much of the left, while at the same time underwriting the "balance of power" between the right and left during the Cold War years. Finally, many Scots in the 18th and 19th century saw Britain and the Empire as new and liberating context in which Scotland could maintain its own identity, while being unencumbered by the conflicts and intrigues of state power. Similarly, many Scottish nationalists today look forward to independent membership in the European Union as a broader, more progressive, and less parochial frame for political action. In short, Smith's day was characterized by the waning power of the late feudal-mercantilist state and the Catholic Church, and ours is characterized by the decline of the welfare state and socialist-communist politics. And both periods exhibit an anxious euphoria regarding burgeoning transnational interconnections.

Beyond a general crisis regarding conceptions of the proper role of the state in the political economy, where these trends will take us is unclear. But this is precisely the point. There is an emptiness of vision regarding the role of the state (cf. Heilbroner and Milberg 1995;

Marquand 1988), and current notions of civil society seem more to compensate for this lack of vision, than to indicate a way specific way forward. Thus, just as the idea of civil society is playing a role in left leaning politics in Scotland and other places as discussed above, it is also a favorite concept for the right, providing justification for the idea of that states should be minimally involved in economic development (cf. Gellner 1991; Williams and Young 1994). As recent work by Sara Diamond (1995) shows, the current successes of the right in the US involve many years of effective mobilization of institutions that fit neatly within the paradigm of civil society. These ambiguities suggest that while the concept of civil society may usefully define certain processes of political mobilization, it should not be seen as a political end in itself. In the modern world, political ends are ultimately backed by the power of states.

VII. Conclusion:

I conclude by questioning, through two examples, the very idea of opposing civil society to the state. First, although Smith argued for the ability of the market to meet people's material needs with minimal direction from the state, he saw the market as a human-made, social institution constituted through government policy. Secondly, the institutional nexus of Kirk, law, and educational system in Scotland has at times served as almost a state-within-the-state, a structure for channeling political exchanges between interests in Scotland and the larger British political system. These points suggest that it is misleading to think of civil society as something opposed to the state, and more useful to see it as a network of institutions that mediate, for better or worse, between states and people. Once there is a coherent vision of the good society that a movement seeks to promote, the question is not how to create politics beyond the state, but how to master a politics that gains a purchase on the state. In this light, the current fascination with the civil society concept suggests not so much a new form of politics, as an opacity of political vision.

[1] This paper arises out of fieldwork that was funded by the Wenner-Gren Foundation for Anthropological Research. My thanks to Jane Schneider, Gerald Sider, and my anonymous reviewers from PoLAR for their helpful comments.

[2] Although North Sea oil was a major spur to the movement in the early 1970s, activists now take a more sober view of the possibilities offered by oil, and resistance to Thatcherism has become a more central factor motivating activism. For general introductions to the topic, see Kellas (1989), Marr (1992), and McCrone (1992).

[3] The remainder of the vote goes to the Tories, the Liberal Democrats, independents, and various smaller parties.

[4] There is a disproportionately large participation by members of the Liberal Democrats in these civil society organizations. This appears to be due partly to a kind of political entrepreneurialism. The Liberal Democrats are the fourth largest party after Labour, the SNP, and the Tories. Participation in these organizations seems to afford a kind of political presence that is presently unattainable through elected representation. It should also be acknowledged that the Liberal Democrats have a long history of supporting Scottish home rule and UK-wide federalism. There are matters of party principle, and not simply politicalk opportunism involved here.

[5] Of course there were daily political struggles from below, but these did not fundamentally define the political order.

[6] In this regard the Scottish Enlightenment thinkers were strongly influenced by the European tradition of "natural jurisprudence"--what we would call positive law.

[7] Smith's ideas on self discipline were influenced by his early readings of the Stoics as a student. the idea of the economy as a self-regulating system is closer to Bernard de Mandeville's *Fable of the Bees*, than to Smith's more complex social psychology (again, see Muller 1993:39-60).

[8] Adam Ferguson, in his Essay on the History of Civil Society (1966) took a much more pessimistic view of this process. In a manner similar to Rousseau's *Second Discourse*, and revealing his intellectual debt to the tradition of civic republicanism, he worried that the "virtues" cultivated by smaller face-to-face communities would be eroded by the impersonality of commercial society.

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